

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Weiner and Hartmann
Serial No: 09/888,326
Confirmation No. 7237
Filed: June 22, 2001
For: METHODS FOR ENHANCING ANTIBODY-INDUCED CELL
LYSIS AND TREATING CANCER

Examiner: unknown
Art Unit: 1645

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)

The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to Commissioner for Patents, Washington, D.C. 20231, on the 23rd day of September, 2002.



Alan W. Steele, Reg. No.: 45,128

Commissioner for Patents
Washington, D.C. 20231

SUPPLEMENTAL STATEMENT FILED PURSUANT TO THE DUTY OF
DISCLOSURE UNDER 37 CFR §§1.56, 1.97 AND 1.98

Sir:

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, the Applicant requests consideration of this Information Disclosure Statement.

PART I: Compliance with 37 C.F.R. §1.97

This Information Disclosure Statement has been filed before the mailing date of a first Office Action on the merits in the above-identified case. No fee or certification is required.

PART II: Information Cited

The Applicant hereby makes of record in the above-identified application the information listed on the attached form PTO-1449 (modified). The order of presentation of the references should not be construed as an indication of the importance of the references.

PART III.: Remarks

Documents cited on the attached form PTO-1449 (modified) are enclosed unless otherwise indicated on the attached form PTO-1449 (modified). It is respectfully requested that:

1. The Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims;
2. The enclosed form PTO-1449 be signed by the Examiner to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application;
3. The citations for the information be printed on any patent which issues from this application.

By submitting this Information Disclosure Statement, the Applicant makes no representation that a search has been performed, of the extent of any search performed, or that more relevant information does not exist.

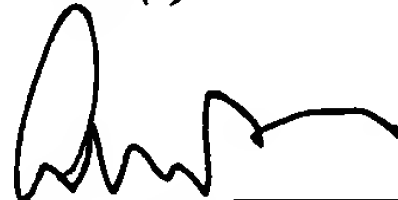
By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

By submitting this Information Disclosure Statement, the Applicant makes no representation that the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

Notwithstanding any statements by the Applicant, the Examiner is urged to form his own conclusion regarding the relevance of the cited information.

An early and favorable action is hereby requested.

Respectfully submitted,
George Weiner and Gunther Hartmann,
Applicant(s)

By: 

Alan W. Steele, Reg. No. 45,128
Wolf, Greenfield & Sacks, P.C.
600 Atlantic Avenue
Boston, MA 02210
Telephone (617) 720-3500

Docket No. C1039/7052 (AWS)
Dated: September 23, 2002

FORM PTO-1449/A and B (Modified)				APPLICATION NO.: 09/888,326		ATTY. DOCKET NO.: C1039/7052	
INFORMATION DISCLOSURE STATEMENT BY APPLICANT				FILING DATE: June 22, 2001			
				APPLICANT: Weiner et al.			
				GROUP ART UNIT: 1645		EXAMINER: unknown	
Sheet	1	of	1				

U.S. PATENT DOCUMENTS

Examiner's Initials#	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication or of issue of Cited Document MM-DD-YYYY
		Number	Kind Code		
	A39	6,207,646	B1	Krieg et al.	03-27-2001

FOREIGN PATENT DOCUMENTS

Examiner's Initials#	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document (not necessary)	Date of Publication of Cited Document MM-DD-YYYY	Translation (Y/N)
		Office/ Country	Number	Kind Code			

OTHER ART — NON PATENT LITERATURE DOCUMENTS

Examiner's Initials#	Cite No	Include name of the author (in CAPITAL LETTERS) title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, relevant page(s), volume-issue number(s), publisher, city and/or country where published.	Translation (Y/N)	
	C154	BAUER M et al., DNA activates human immune cells through a CpG sequence-dependent manner. <i>Immunology</i> . 1999 Aug;97(4):699-705.		
	C155	HARTMANN G et al., CpG DNA: a potent signal for growth, activation, and maturation of human dendritic cells. <i>Proc Natl Acad Sci U S A</i> . 1999 Aug 3;96(16):9305-10.		
	C156	MACFARLANE DE et al., Immunostimulatory CpG-oligodeoxynucleotides induce a factor that inhibits macrophage adhesion. <i>J Lab Clin Med</i> . 1999 Nov;134(5):501-9.		
	C157	SUN S et al, Type I interferon-mediated stimulation of T cells by CpG DNA. <i>J Exp Med</i> . 1998 Dec 21;188(12):2335-42.		

EXAMINER	DATE CONSIDERED
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#EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

*a copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. 120 (continuation, continuation-in-part, and divisional applications).

[NOTE - Must provide a copy of any patent, publication, other information listed, even if it was previously submitted to, or cited by, the U.S. Patent Office in an earlier application, unless the earlier application is identified by the IDS and is relied upon for an earlier filing date under 35 U.S.C. §120, and the copy was provided in the earlier application.]

DOCKET NO.: C1039/7052 (AWS)

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Alan W. Steele, Reg. No.: 45,128

Commissioner For Patents
Washington, D.C. 20231

Sir:

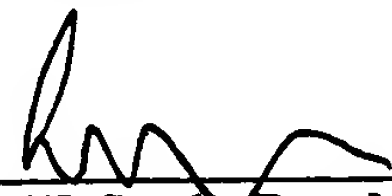
Transmitted herewith are the following documents:

- ☒ Supplemental Information Disclosure Statement
- ☒ PTO Form 1449 with cited references
- ☒ Return Receipt Postcard

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 720-3500, Boston, Massachusetts.

A check is not enclosed. If a fee is required, the Commissioner is hereby authorized to charge Deposit Account No. 23/2825. A duplicate of this sheet is enclosed.

Respectfully submitted,
George Weiner and Gunther Hartmann,
Applicant(s)

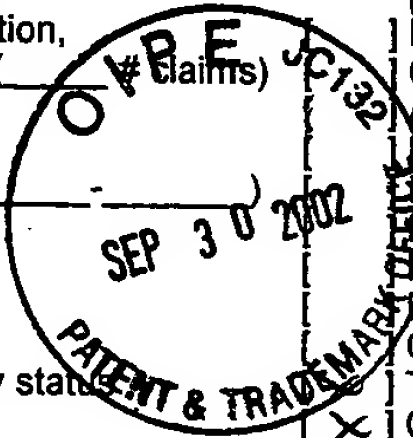
By: 
Alan W. Steele, Reg. No.: 45,128
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Docket No. C1039/7052 (AWS)
Date: September 23, 2002

Serial No 09/888,326 File No. 01039/7052 By: AWS
Title: METHODS FOR ENHANCING ANTIBODY-INDUCED
Application of Weiner and Hartmann WGS Date: ndd

The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

- | | |
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| <input type="checkbox"/> Mailing by Express Mail (37 CFR 1.10)
Express Mail Label No. _____ | <input checked="" type="checkbox"/> Provisional Application Cover Sheet |
| <input type="checkbox"/> Patent Application | <input type="checkbox"/> Multiple Dependent Claim Fee Sheet |
| <input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional | <input checked="" type="checkbox"/> Inf. Discl. Statement, PTO Form 1449 |
| Incl. _____ pages, (_____ pgs) Specification, | <input checked="" type="checkbox"/> References Cited |
| (_____ pgs) Abstract, (_____ pgs) Claims (_____ Claims) | Priority Document(s) # _____ |
| <input type="checkbox"/> Design Patent Application | Copy of Notice to File Missing Parts |
| <input type="checkbox"/> Declaration(s) _____ | Amendment/Response |
| <input type="checkbox"/> Drawings _____ Sheet(s) (FIGS. _____) | Petition for Ext. of Time (x2) |
| <input type="checkbox"/> Formal <input type="checkbox"/> Informal | Issue Fee Transmittal |
| <input type="checkbox"/> Utility Patent Application Transmittal | Letter to Official Draftsperson |
| <input type="checkbox"/> Fee calculation sheet (x2) | Notice of Appeal |
| <input type="checkbox"/> CPA Transmittal | Brief (x3) |
| <input type="checkbox"/> Verified Statement claiming small entity status | Check for \$ _____ Check # _____ |
| <input type="checkbox"/> Assignment and Cover Sheet | <input checked="" type="checkbox"/> Transmittal Letter (x2) |
| <input type="checkbox"/> Other _____ | <input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(a) |



DATE MAILED September 23, 2002